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ABSTRACT

This document presents a welfare reform proposal designed to ensure a transition toward economic self-sufficiency and an end to poverty. It consists of four distinct elements that form an integrated and interdependent whole. The first element is a series of initiatives to achieve an adequate income maintenance system that guarantees that all needy families will receive benefits equal to at least the federal poverty level. The recommended goals could be accomplished within the existing federally supported income maintenance systems for families by adopting changes such as increasing the benefit levels, extending coverage to all needy families, and limiting consideration to actually available current income. The second element of the proposal is the establishment of voluntary and adequately funded comprehensive education, employment, and training programs. Recommendations are made regarding allowable uses of funds, administration, state plans, financing, and performance standards. The third element is provision of support services and subsidies, which ensure the availability and affordability of child care, health care, and transportation. The final element is effective child support enforcement to enhance the collection of support payments from noncustodial parents. (YLB)

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CHANGING WELFARE:

AN INVESTMENT IN WOMEN AND CHILDREN

IN POVERTY

THE PROPOSAL OF
THE NATIONAL COALITION ON
WOMEN, WORK AND WELFARE REFORM

U.S. DEPARTMENT OF EDUCATION
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APRIL, 1987

This proposal has been endorsed by the following organizations:

American Association of University Women
American Friends Service Committee
Black Women's Agenda
Center for Law and Social Policy
Children's Defense Fund
Church Women United
Corporation for Enterprise Development
Council on Social Work Education
Displaced Homemakers Network
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Parents Without Partners
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Wider Opportunities for Women
Women and Poverty Project
Women's Equity Action League
Women's Legal Defense Fund
YWCA of the USA, National Board

For further information on this proposal and the work of the Coalition, contact any of the Coalition members listed above or

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Changing Welfare:
An Investment in Women and Children in Poverty

The Proposal
of
The National Coalition on
Women, Work and Welfare
Reform

April, 1987

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THE PRINCIPLES

The National Coalition on Women, Work and Welfare Reform came together in 1985 out of our conviction that the emerging debate on welfare reform must address the needs of poor women and their children. We are now more than 25 national organizations which share a long-standing concern for the dramatically disproportionate levels of poverty experienced by women-maintained families in this country. In August, 1986, we published our recommendations to guide the development of state-level welfare employment programs in PERSPECTIVES ON WOMEN AND WELFARE EMPLOYMENT. Building on this work and grounded in the varied perspectives and knowledge of Coalition members, we have now prepared a welfare reform proposal. The proposal has been guided by the following principles:

- The problem is poverty, not welfare. The solution to poverty is not to reduce the welfare rolls, but rather to transform the welfare system into one which enables recipients to become economically self-sufficient.

- Effective welfare reform cannot be revenue-neutral. Only a serious and thoughtful investment of time and resources will enable low-income citizens to participate more fully in our economy. This investment is primarily the responsibility of the federal government, although it will require support from a broad spectrum of public and private groups as well.

- Welfare reform should result in a structure that respects the dignity of welfare recipients and strengthens their capabilities for determining choices for their own lives. In short, the welfare system should be "user-friendly." Recognizing that most welfare recipients want to work outside the home, voluntary education, employment and training programs are the most efficient as well as effective approach.

- While flexibility and community involvement are extremely important in shaping programs at the local level, the federal government must continue to exercise its responsibility in the areas of: performance standards, civil and other rights protections, technical assistance, uniformity of standards, guarantee of entitlement, and data collection.

THE CONTEXT

If welfare reform is to ensure a transition towards economic self-sufficiency, and an end to poverty, it must address:

- the current unacceptable lack of basic income support for poor families in many states;

- the dearth of jobs in many areas of the country, and the shortage of jobs which pay wages and benefits adequate to support a family;

- the widely varied needs and situations of welfare recipients for education, training and employment services, health care, and vocational rehabilitation and counseling;

- the contrast between the depth of support services needed and their availability and affordability for most families; and

- the continuing presence of race, sex and age discrimination which limits the access of women and minorities to such areas as education, housing, employment (including pensions, health insurance and benefits).

THE FOCUS: SCOPE OF THIS PROPOSAL

Our recommendations reflect an ongoing tension between the necessity to focus on welfare recipients directly, and our deeply held conviction that the problem of women's poverty, and therefore its solutions, are much broader than that which can be subsumed under even a comprehensive welfare reform proposal. The choice to focus on poor families with children becomes painful when it excludes, for example, displaced homemakers who no longer have dependent children.

Likewise, Coalition members believe that the fate and effectiveness of welfare reform will be greatly affected by public policy changes in other areas, particularly housing, education, affirmative action, and the minimum wage. Without real gains in each of these areas, there will not be a substantial reduction in poverty, which is the true object of welfare reform.

THE PROPOSAL IN BRIEF

Our proposal consists of four distinct elements that form an integrated and interdependent whole. None are sufficient alone. All are necessary. In a time of fiscal constraint, we recommend gradual implementation of the proposal as a whole, rather than selecting from among these elements.

The four elements of this proposal are: (1) initiatives to achieve an adequate income maintenance system which guarantees that all needy families will receive benefits equal to at least the federal poverty level; (2) establishment of voluntary and

adequately funded comprehensive education, employment and training programs which prepare welfare recipients for employment with incomes and benefits adequate to support their families; (3) provision of support services and subsidies, which assure the availability and affordability of child care, health care, and other training and work-related expenses necessary for welfare recipients who are making the transition from welfare to employment; and (4) effective child support enforcement to enhance the collection of support payments from non-custodial parents.

PART I: INCOME MAINTENANCE

The National Coalition on Women, Work and Welfare Reform supports federal welfare reform legislation that will improve assistance to welfare recipients and their families and provide support in increasing their long term economic self-sufficiency. While this statement addresses only our concerns with respect to needy families with children, we support the provision of income maintenance benefits to all those in need without regard to age, family status or other categorical limitations.

We recommend:

- establishing federally supported income maintenance benefits equal to at least 100% of the federally established poverty level;
- increasing the Earned Income Tax Credit (EITC) to reflect differences in family size;
- extending income maintenance to all needy families with children;
- basing income-tested eligibility and benefit determination only on income actually and currently available to the family for use in meeting its basic needs;
- providing adequate income disregards in income-tested programs: including, among other things, disregard of some of a family's earnings, child support receipts and social security benefits and establishing adequate resource levels;
- ensuring that income maintenance benefits are provided without the attachment of any mandatory educational, employment or training requirements;
- establishing appropriate measures of state performance in federal/state programs that focus on identifying the reasons for poor performance and on finding cures rather than on just imposing penalty reductions in federal funding; and
- establishing methods for the determination and provision of aid which make benefits accessible to all who are eligible and which respect their dignity.

These goals could be accomplished within the existing federally supported income maintenance systems for families by adopting the changes described below.

Increasing income maintenance benefit levels and the EITC

A federal floor should be established to assure that benefits equal the difference between food stamps and 100% of the federally established poverty level. This should be done without any diminution of federal funding for AFDC benefits that exceed this minimum. To the extent that resources do not permit immediate attainment of the 100% level, any phasing in should begin at a high enough level to provide significant relief to a substantial number of those who are now living in the subpoverty of AFDC and should be geared to attain 100% in the foreseeable future. In addition, the EITC should be adjusted for family size.

Extension of coverage to all needy families with children

Since the food stamp program covers needy families with two parents in the home, full provision of federally supported income maintenance to such families could be obtained by also covering them under AFDC. This goal could be achieved in stages by initially mandating AFDC-U coverage of needy two parent families in which a parent is unemployed or underemployed. This extension should be accompanied by modification of three features of the unemployment/underemployment test. First, a family should not be denied aid because only its secondary wage earner, typically the female parent has suffered the loss of employment. Second, underemployment should be recognized as anything less than full time hours. Third, aid should not be denied to the long-term unemployed or those who have never been able to obtain and/or retain "on the books" employment long enough to amass sufficient quarters of work to meet the labor force attachment test.

Limiting consideration to actually available current income

To the extent that benefits are means tested, they should be calculated only on the basis of income which is actually and currently available to the members of the family seeking assistance.

Benefits should be provided on the basis of current needs so that benefits provided to cover needs during a particular time period are based, as closely as possible, on income that the family can reasonably be anticipated to have available for use during that period.

Income which is not actually available to meet the basic needs covered by the income maintenance grant, (e.g., amounts withheld from wages for mandated contributions such as taxes, amounts that have to be spent to cover expenses attributable to involvement in employment or self-employment such as child care costs, proceeds of bona fide business loans), should not be counted against the family in determining eligibility for

assistance. This requires modification of the allowances for work expenses and elimination of the 185% cap on eligibility.

Lump sum payments received by families should be treated in the same way as lump sums are treated in the Supplemental Security Income (SSI) program. Families who receive such amounts should be allowed to retain the proceeds of such receipts up to the applicable resource limits. To the extent that the proceeds make them ineligible, ineligibility should continue only so long as the proceeds are still available to them.

A family should be free to seek aid only for its needy members so that income that is the specific property of one child in the family cannot be assumed to be available to meet the needs of siblings. Similarly, it should not be assumed that a child is receiving income from grandparents or stepparents who have no enforceable duty to support her.

Opportunities for voluntary participation in education, employment and training activities

As expressed in our statement on education, employment and training opportunities for poor families, conditioning the receipt of benefits on work tests or work requirements undermines the goals of both education, employment and training programs and income maintenance programs. Our views on how education, employment and training opportunities can best be provided are set out fully in part two of this proposal.

Disregarding income and increasing resource limits

Low-income families should not be forced to take jobs which would leave them less well off than receiving welfare. The earned income disregard which currently applies to the first $30 of income earned per month and one-third of the remaining earnings should be liberalized, should apply to all earnings regardless of the source and should not be time limited. The EITC should not be considered income for the purposes of calculating gross income. At least $100 of child support and social security benefits should be disregarded in all cases with additional disregard of any amounts needed to meet the special needs of the beneficiary of the payments. All work related expenses should be disregarded or reimbursed. Resource limits should be increased, including provisions (as exist in SSI) for excluding assets necessary for fulfillment of a self-support plan, and families should be able to accumulate resources while receiving aid so that a family can retain some monies to, among other things, invest in their future.

Appropriate measures of state performance in federal/state income maintenance programs

Fiscal sanctions should not be associated with quality control programs. Quality control programs should be designed to identify as clearly as possible the causes of errors in program administration and to establish and implement well-designed corrective action plans. There should be no incentive for reviewers to overlook errors or for administrators to bias administration in favor of underpayment, and/or wrongful denials and terminations to avoid the fiscal risks of overpayments.

Administrative policies and procedures

Administration of an income maintenance system must give equal consideration to efficiency and the needs of the people it is designed to serve. It should function to assure fair treatment and prompt and accurate payment of benefits. All people who come into contact with the system should be treated with respect and dignity and should be given whatever help they need to meet the procedural and verification requirements that attach to the receipt of aid, including the payment of any fees required to obtain documents. Verification of eligibility should be done in the least intrusive manner possible. Monthly reporting requirements should be eliminated and there should be provision for immediate reinstatement of benefits where failure to comply with other reporting requirements is cured within the month following the date of default.

PART II: EDUCATION, EMPLOYMENT AND TRAINING

Introduction

The National Coalition on Women, Work and Welfare Reform recommends the development of a new federal and state initiative to support education, employment and training for welfare recipients that will enable them to achieve economic self-sufficiency. The new initiative should lead to occupations with demonstrated labor market demand; provide access to jobs which pay wages above the minimum wage and benefits resulting in a net economic gain for the recipient and her family; and develop generic occupational and life skills which enhance long-term employability.

Five key elements guide the education, employment and training component of our proposal:

1) the delivery of services within the existing education, employment and training systems, rather than the development of education, employment and training programs within the income maintenance system;

2) flexibility for states to develop comprehensive strategies which are responsive to the economic realities of their locales, with incentives to involve employers, community based organizations, and educational institutions in a cooperative and coordinated effort;

3) the voluntary participation of welfare recipients in any education, employment and training program and the elimination from federal law of provisions which require or permit states to mandate the participation of welfare recipients or risk loss of benefits;

4) performance standards which provide incentives for states to develop innovative programs consistent with these principles and which discourage "creaming" or the provision of low-cost/low-impact training; and

5) a strong federal role in research, oversight, technical assistance, and data collection to document success and facilitate replication. The privacy of individuals must be protected in any research or data collection efforts.

We propose the development of a new federal/state initiative to support education, employment and training services for welfare recipients. The following recommendations should be used to develop this initiative.

Allowable Uses of Funds

Federal funds appropriated for this initiative should be used to purchase or otherwise provide the supportive services required by participants. It is expected that 30-50% of participant costs may be used to cover these services.

States must provide:

(1) outreach to eligible participants;

(2) individualized assessments of all program participants' educational levels, jobs skills, barriers to employment and supportive services needs. These assessments will be used to develop an individual employability plan in which each participant determines the education, employment, training, and supportive services desired and needed to gain economically-sustaining employment or self-employment;

(3) job readiness and career counseling;

(4) educational remediation, including high school equivalency certification, literacy, and English as a second language;

(5) short term training and postsecondary education in fields with demonstrated labor market demand;

(6) job placement and job development services;

(7) short term workplace internships in occupational areas with a good prospect of permanent employment providing on-the-job (no more than 12 weeks) experiences, references, and stipends to cover the costs of participation; and

(8) appropriate support services.

This mix of services must be available to participants served in this initiative, with participants choosing which elements should be part of their service package based upon their skills, interests, needs, and employment goals.

Federal funds -- including incentive funds -- appropriated for this initiative could be used for other approaches, including self-employment or enterprise development, job creation, nontraditional training, work supplementation, or other approaches which might increase the prospect for economic self-sufficiency.

Federal funds -- including incentive funds -- appropriated for this initiative could also be used for experimental approaches which enhance the prospect of self-sufficiency for target groups of welfare recipients with especially severe barriers to employment.

Federal funds appropriated for this initiative may not be used to support any program of:

- mandatory assignment to employment, training or education;
- unpaid work assignments of more than 12 weeks in duration or required public or private employment;
- mandatory job search efforts;
- providing services to welfare recipients under threat of a sanction if they fail to participate; or
- training or services which result in net economic loss for welfare families.
- employment or training that does not assure employee rights such as health and safety protection, worker's compensation, the applicable minimum wage, and protection against displacement of current workers or trainees.

Administration

The administration of education, training and employment programs for welfare recipients should by placed in one federal agency to avoid duplication and counterproductive bureaucratic competition. The U.S. Department of Labor is preferable because it has responsibility for other employment training programs. For the same reasons, the administration of programs on the state level should also be clearly placed in one state agency. The state agency should be required to utilize existing education, employment and training programs so that welfare recipients are served by the same programs as non-recipients. Educational institutions, JTPA agencies, community-based organizations, vocation/technical schools, employment service and other existing delivery systems are the appropriate vehicles for delivering these services.

State Plans

Each state should create a plan for the delivery of services which should be reviewed by a state council developed for this purpose or a subcommittee of the State Job Training Coordinating Council. Council members should include training, education (including remedial, postsecondary and higher education), and welfare state administrators, employers, unions, community based organizations, and representatives of welfare recipient groups. The state plan would then be reviewed by the Governor and

submitted to the Secretary of Labor for approval. The state plan should outline the procedure for administering, allocating, and matching funds. Within the state, monies should be distributed through a request for proposal process, based on the following factors:

- o demonstration of capacity to serve recipients with greater barriers to employment;
- o demonstration of coordination among welfare, training, education and economic development agencies, community-based organizations, and employers in delivering the services;
- o demonstration of plans for meeting the literacy and basic skills needs of recipients;
- o demonstration of plans to train in high demand occupations with a good prospect for placement in jobs with good wages and benefits;
- o capacity to add funding or in-kind services to the federal/state funding of the program; and
- o demonstration of a comprehensive plan to provide needed supportive services.

Eligible recipients of the funds would include local Private Industry Councils, service delivery areas, education agencies, community based organizations, local governments or consortia of such agencies.

Financing and Federal Allocation of Funds

(1) Funds for this initiative should be provided through the federal government, with a state match developed so as not to penalize poorer states. Financing should come from current WIN dollars, new federal dollars, and the state match. Communities where programs are being operated should also be encouraged to provide additional support.

(2) Funds should be allocated to states based on a funding formula, taking into account the relative number of AFDC recipients in a state compared to the number nationally, and the relative number of AFDC recipients who have received AFDC for two years or more who live in the state as compared to all other states.

(3) A percentage of the total appropriation of federal dollars for the initiative would be retained by the federal Department of Labor for three purposes: training and technical assistance; research and data collection; and incentive bonuses to states (whose plans included and who subsequently successfully carried out innovative programs and performed well according to the performance standards).

AFDC Adjustments

Adjustments to AFDC law must be made to ensure that no welfare recipient could experience a net loss in cash assistance or welfare benefits for participating in the education, employment and training initiatives designed in this program, including longer term education, training or enterprise development activities.

Performance Standards

Federal legislation developed to implement this initiative should contain performance standards of two types: standards designed to address the program components developed by states for participants; and standards designed to measure the outcomes for participants of such programs. States should be held accountable for both types of performance measures by the U.S. Department of Labor, with incentives available to states for meeting the standards.

Program Standards

- targeting welfare recipients with greatest needs and providing serial services to such participants as needed;
- providing additional matching monies to expand the program;
- involving the full spectrum of employers, community-based organizations, education and training providers in the delivery and coordination of services;
- demonstrating the delivery of appropriate supportive services before, during, and throughout the program and the transition to self-sufficiency; and
- developing innovative service delivery and targeting strategies consistent with the goals of the program.

Outcome Standards

- achieving participant placements in jobs with wages above the minimum wage and full health benefits such that the family experiences a net economic gain;
- achieving participant educational gains; and
- achieving job permanence, through demonstration of job retention after one year.

PART III: SUPPORT SERVICES

The National Coalition on Women, Work and Welfare Reform recognizes that support services including child care, health care and transportation are vital for families to achieve economic self-sufficiency. These services must be provided both during any education, employment and training program and during a transition period after placement into a job. In addition, there are other support services -- such as dependent care for adult family members -- which are also essential, but are not addressed in this proposal. While welfare reform proposals must primarily deal with public assistance recipients, they should move towards a goal of providing these support services to all families living below the poverty line.

Health Care

Since 75% of the uninsured in America are workers in paid employment and their families, it is clear that moving from AFDC into a job does not guarantee that a worker will also move from public to private health insurance. The provision of subsidized health care can help to remove this barrier to economic self-sufficiency. Additionally, equity mandates that working poor families who are not presently eligible for Medicaid also be given assistance.

We recommend that:

- The federal government guarantee Medicaid coverage for at least 18 months after the recipient enters employment and the family leaves the welfare rolls. An optional six month extension of Medicaid coverage should be provided if the family will otherwise lose health coverage. If the family will lose more comprehensive coverage, states should fill the gap between the services provided by the employer's plan and the services provided under the state's Medicaid plan. This extension should be automatic and should not depend on reapplication by a family losing its welfare benefits.

- States be required to extend Medicaid coverage to all families of workers with total incomes below the poverty line. Additionally, states should develop plans to phase-in Medicaid for all uninsured poor families.

Child Care

Addressing the child care needs of low-income families is a high priority for the Coalition. This requires consideration of the needs of parents as well as the developmental needs of

children. High quality child care must be available to ensure that low-income children are not subjected to a separate and inadequate system of care.

We recommend that:

- Fully subsidized child care be provided for welfare recipients who participate in education, employment and training programs and should continue to be provided for at least 12 months after the recipient enters employment and the family leaves the welfare rolls. Thereafter, families would contribute to the cost of child care on a sliding fee basis.

- Subsidized child care be provided for all workers' families whose total income is below the poverty level, except in two parent families if one parent chooses to remain at home to care for children.

- Parents be allowed maximum flexibility, in accordance with adequate standards that will ensure quality and safety, to select the child care that meets their needs and those of their children.

- Child care for education, employment and training participants be paid for at market rates to ensure that low-income families have access to quality care. Since there is no national standard, market rate would be determined in each community.

- States be required to establish information and referral systems to help parents acquaint themselves with the available child care and subsidies.

Transportation

Adequate transportation is an integral component of a support services package which will enable low-income families to take advantage of education, employment, and training opportunities. These families often live in areas where public transportation is either very expensive or non-existent.

We recommend:

- A flexible approach which allows communities to combine existing transportation services and develop new services as needed through the use of public, non-profit and private sources.
- Subsidies and vouchers as methods to reimburse welfare recipients for transportation costs while participating in education, employment and training programs (including those necessitated by child care).

PART IV: CHILD SUPPORT ENFORCEMENT

The National Coalition on Women, Work and Welfare Reform supports welfare reform that will improve the enforcement and collection of child support. Any proposal for reform must recognize that, even at its best, child support enforcement will not eliminate poverty among women and children. Hence, improved child support enforcement, so critical to the economic well-being of poor women and their families, must be pursued in combination with strategies that improve benefit levels and employment opportunities.

We recommend:

- changing the method of distribution of support collected for children receiving AFDC to assure that a significant portion of every collection is passed through to the child without affecting her or his eligibility for aid;
- increasing limitations on a state's right to pursue arrears on its own behalf to assure that such right is always secondary to a family's right to current support payments;
- making changes in the paternity determination process to ensure effective and timely assistance to caretakers seeking to establish the paternity of their children;
- requiring improvements in the management of child support enforcement agencies (IV-D agencies);
- improving the use of state-established guidelines for child support awards; and
- improving interstate child support collection services.

Emphasizing collection of current support obligations and a passthrough for children receiving AFDC

The current federally mandated passthrough of $50 of monthly child support collections on behalf of children receiving AFDC should be increased. The passthrough should apply to all collections of amounts representing monthly obligations whether the amount collected is a current payment or payment of an arrears and regardless of when the payments are made or whether they are made to an agency in the state of the custodial parent's residence or in another state.

Provisions giving precedence to the collection of current support obligations for children who are currently receiving AFDC or who formerly received it should be improved to assure that the child's right always takes priority over the state's right to collect arrearages owed to it under the AFDC assignment.

Ensuring effective and timely establishment of paternity

The legal and administrative barriers which severely limit the number of paternities established by state child support agencies should be removed. Such an effort would include:

- o requiring states to set up civil procedures with appropriate due process protection under which paternity can be established or voluntarily acknowledged;
- o requiring states to permit HLA blood tests, and other tests with equivalent reliability, to be admissible as evidence of paternity in legal proceedings; and
- o improving state procedures for the interstate establishment of paternity.

Requiring state child support agencies to provide more timely and efficient services

Better management of resources should be assured by requiring states to establish automated tracking and monitoring systems.

More timely action should be assured by requiring federally established timelines and performance standards for states which govern all aspects of child support enforcement, including establishment of paternity and establishment and enforcement of support awards.

Improving the use of guidelines in establishing child support awards

States should be required to apply their state-established guidelines as a rebuttable presumption in establishing child support awards. The guidelines should be periodically reviewed and updated. Awards also should be periodically updated in conformity with the guidelines, if appropriate, with notice to and appropriate due process protection for both parents.

Improvements in the procedures governing interstate child support services

State procedures should be made more uniform and the tools available for application in interstate cases should be expanded.

This would include:

- o the establishment of a commission to study and recommend solutions to the full range of problems plaguing interstate enforcement;
- o the development of timeliness and performance standards for states in interstate as well as intrastate cases; and
- o the expansion of locate and enforcement tools currently available in intrastate cases to make them more effectively available in interstate cases.

Ensuring adequate resources at both the federal and state level

There should be assurance of sufficient funding for the requisite improvements in the child support enforcement program by:

- o maintaining current levels of federal funding for child support;
- o retaining the special federal funding for the development and implementation of automated systems; and
- o considering additional financial incentives for states to improve their performance in areas such as the establishment of paternity, where current efforts are conspicuously and woefully inadequate.